THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 17511 of 2005

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TUESDAY, THE NINTH DAY OF AUGUST
TWO THOUSAND AND FIVE

Between:

1 Sri Bolina Subbarao, S/o. Viswanadham,
R/o. Tanuku, W.G.District.
2 Smt. Bollina Venkayamma, W/o. Viswanadham,
R/o. Tanuk, W.G.District.
3 Sri Bollina Viswanadham, S/o. Late Subbanna, '
R/o. Lankavari Street, Tanuku, W.G.District.

..... PETITIONERS

AND

1. The Govt of A.P., rep. by its Secretary, Department of Revenue

(Endowments), Secretariat, Hyderabad.

2 The Assistant Commissioner, Endowments Eluru, W.G.District.
3 Sri kasavaswamy & Mahalaxmi Temple, by its Executive Officer,

Tanuku, W.G.District.

.....RESPONDENTS

The Court, at the stage of admission, made the following:

Oral order:-

The petitioners are all tenants of lands belonging to the 3rd respondent-Temple. In the year 2002, they were issued a notice in Form No.I under the provisions of Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Lease of Agricultural Land Rules, 2003 (for short 'the Rules') stating that the tenancy stood determined under the provisions of Section 82 ofthe Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1957 (for short 'the Act') that they should vacate possession of the lands. The petitioners thereafter made an application to the 2nd respondent, claiming determination of their status as landless poor persons and, therefore, to the benefits under Section 82 (2) of the Act. On 23-07-2005, it is contended, the 2nd respondent rejected their plea for determination of the status of landless poor persons and, therefore to the consequential benefits under the Act. The petitioners are content with the determination. However, they contend that they had raised crops with considerable expenditure and, therefore, they be permitted to harvest the paddy crop raised in the leased lands of the 3rd respondent-Temple. On an assurance that they would vacate the lands immediately after the harvest, in this behalf they made a representation

dated 30-07-2005 to the Regional Joint Commissioner (Endowments), West Godavari.

In the aforesaid circumstances, the writ petition is disposed of after hearing the learned counsel for the petitioners and the learned Government Pleader for Endowments, directing the competent authority under the endowments department, including the Regional Joint Commissioner (Endowments), if he is so competent, to consider and dispose of the representation of the petitioners dated 30-07-2005 for permitting them to harvest the crops raised over the leased lands. Such decision shall be taken and communicated to the petitioners within a period of ten (10) days from the date of receipt of a copy of this order. No costs.

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GODA RAGHURAM, J

Dt. 09-08-2005

Pvks/*

Nb:- Furnish c.c. today itself.

B/o

Pvks/*